

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v : 3:CR-19-235-01

MIGUEL RENTERIA-GOMEZ :

(Judge Mannion)

:

Defendant

O R D E R

Presently before the court is Magistrate Judge Karoline Mehalchick's report and recommendation, which indicates that Defendant Miguel Renteria-Gomez appeared before her and entered a guilty plea to Count 1 of the Superseding Indictment on June 7, 2021. The report and recommendation proposes that, pursuant to the guilty plea, the court enter an order adjudging Defendant Miguel Renteria-Gomez guilty of the offense of Conspiracy to possess with intent to distribute one kilogram and more of a mixture and substance containing a detectable amount of heroin pursuant to 21 U.S.C. §841(a)(1) and (b)(1)(A) as alleged in Count 1 of the Superseding Indictment. No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in order to decide whether to adopt the report and recommendation, we must determine whether a review of the record evidences plain error or manifest injustice. See, e.g., Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983); FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely

objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); 28 U.S.C. §636(b)(1).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation.

- 1) The magistrate judge's report and recommendation (Doc. 95) is hereby **ADOPTED**;
- 2) The Court accepts the defendant's guilty plea and finds him guilty of Conspiracy to possess with intent to distribute one kilogram and more of a mixture and substance containing a detectable amount of heroin pursuant to 21 U.S.C. §841(a)(1) and (b)(1)(A) as alleged in Count 1 of the Superseding Indictment.
- 3) Sentencing shall be scheduled upon receipt of the Presentence Report.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: June 24, 2021
19-235-08